IN THE HIGH COURT OF BOMBAY AT GOA
****

APPEAL FROM ORDER NO. 42 OF 2003

Jose Dias, major,
Indian National,
c/o Mr. J.S. Rebello,
18th June Road,
Opp. Samrat Theatre,
Panaji,Goa. ... Petitioner

Versus

1. Mrs. Jessuina Effie
de Souza,

2. Mr. Nobert Tellis,
both r/o 10-B,
Patto Colony, Panaji,
Goa,

3. Village Panchayat of
Corlim, through its
Sarpanch, Guru Jalmi,
having office at Corlim,
Tiswadi, Goa. ... Respondents.

Shri A. F. Diniz, advocate for the petitioner.

Shri R. B. D'Sa, advocate for respondent nos. 1 and 2.

Shri A. D.Bhobe, advocate for respondent no.3.

CORAM : F. I. REBELLO, J.

DATE : 7th August, 2003

ORAL JUDGMENT

By a separate Writ Petition no. 315 of 2003 the delay in taking out the application for setting aside the order of dismissal of the suit, has been set aside. For the same reasons as given whilst disposing of the Writ Petition No. 315 of 2003, this would be a fit case where the Court sets aside the ex parte Order. In the light of that, the impugned Order dated 10th April, 2003, is quashed and set aside. The suit is restored. The trial Court is directed

to dispose of the suit, at any rate on or before the 31st December, 2003. All parties to cooperate with the trial Court to dispose of the suit.

Appeal From Order disposed of accordingly.

F. I. REBELLO, J.

mc.